

Town of Leeds

Planning Commission Meeting for December 4, 2013

1. Call to order:

Bill Lytle, Chairman Pro-Tem called to order the regular meeting of the Planning Commission at 7:00pm on December 4, 2013, at Leeds Town Hall, 218 N Main.

2. Roll Call:

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIR: Danielle Stirling		x
COMMISSION MEMBER: Bill Lytle	x	
COMMISSION MEMBER: Darrell Nelson	x	
COMMISSION MEMBER: Reed Braithwaite		x
COMMISSION MEMBER: Norm Peters	x	
COMMISSION MEMBER ALTERNATE: Elliott Sheltman	x	

3. Invocation by Darrell Nelson.

4. Pledge of Allegiance by Elliott Sheltman.

5. Declaration of Abstentions or Conflicts: None.

6. Approval of Agenda:

Norm Peters moved to approve tonight's agenda and meeting minutes of November 6, 2013. 2nd by Darrell Nelson. Bill Lytle amended date on Agendas meeting minutes from October 2, 2013 to November 6th, 2013. All voted "Aye". Motion Passed.

7. Announcements: None.

8. Public Hearings:

a. Zone Change for Parcel L-94-A-2 Mike Toe from Open Space to Commercial.

Elliott Sheltman made a motion to open the Public Hearing on the Zone change for Mike Toe. 2nd by Darrell Nelson. All voted "Aye". Motion Passed.

Bill Lytle gave a summary of the Zone Change and asked Joe Allen to discuss it.

Joe Allen who is representing the purchaser of the property encouraged the Planning Commission members to keep in mind what open space zoning is and read the definition from the Ordinance 17.1 of the Land Use Plan. He then proceeded to read the letter that Mike Toe submitted with his zone change application that indicated he would like to put in a diesel truck parts store. Joe asked Commission members to just consider if that property makes sense as commercial and not so much of the business that will be developed.

Ellie Dixie asked Joe if a traffic study had been done.

Joe indicated not at this time; however, it would need to be done in the building phase.

Bob Moeller was concerned because the property is an overflow for Angel Springs and it runs right through the property. Darrell Nelson indicated the property is on a flood plain.

Susan Savage it is a tricky spot, you have to consider what type of business will be located there because it is a wetland and it is only a ½ interchange. A truck stop will bring traffic right through Leeds Main Street. Truck stops are typically located on the outsides of Town so they have no impact. A different kind of business would be more suitable there.

Diane Burton there might be a business that is more appropriate than a trucking company. It could be disrespectful to be so close to the cemetery. She presented a \$10,000 dollar check from her friend that is out of town as a donation to the Town to dedicate the parcel as a memorial park.

Leon Petersen had three concerns. 1st was he moved to the area because it was quiet and a truck stop does not fit that. 2nd the intersection is way too narrow for truck traffic. The

storage units across the intersection are very low impact, a trucking company is not. 3rd it is a flood plain and has the possibility to flood.

Betty Mcknight wants commission members to keep in mind what we would like our town to look like. She purchased her property thinking it was all residential and commercial would hurt the value of everyone's property around it. If it is a trucking company, calls come in at night, the truckers would have to stay in their vehicles. She was worried about the children, they get off the bus at that location and that it is was too close to the cemetery. She asked Joe why they picked Leeds and is it a dealership? Joe indicated it is not a dealership a parts store and he did not know why they picked Leeds other than they want to relocate to Utah.

Ken Bracken is it suitable for commercial land, probably not; however, he does not want citizens' to be closed minded when it comes to new business in town. He lives in Leeds and works in Leeds as well.

Annette Densley as she read the description of the business she was concerned about the trucks being washed at the location. The run off could go into the Harrisburg run off. She has some concerns about issues that the Town has already dealt with in the past that have to do with State Codes and Utah Law. She hopes Joe Allen with this issue would recuse himself. She would like to see a park or something else put at that location.

Jan Seegmiller was concerned because kids catch the bus at that location. There is already safety concerns there because of the drop offs on each side of the road.

Allen Roberts the Planning Commission needs to address the issue which is the Zone change. There are a lot of assumptions being made that may or may not be there. If you look at the application does it make sense to be zoned commercial? He cautioned Joe that part of the use that is described belongs in an industrial zone. If it goes commercial anything that is permitted in the Ordinance under Commercial use has to be allowed. He is not in favor for the Town to take on another park. The town does not have money to maintain another park. If citizens' want a park they can all go in together and purchase it.

Mike North owns the property to the north which is already zoned commercial. He worked a lot with the prior Town Manager at looking at where commercial property made the most sense. He thinks the location is a good one for commercial use because it is away from town. Property rights are the foundation of this country. You can't shut the world out, we need revenue to run the Town.

Jerry Anderson believes in business however not that one. Businesses that look bad belong in commercial places. If the business is dirty, stinky and oily they ruin the value of the homes around them.

Another Citizen thinks Leeds has done just fine without all the businesses. He proceeded to talk about the health issues that diesel fumes cause and felt like there could be a better use for that parcel.

Bob Nicholson the Town Planner commented there are two uses being talked about in the application a store and a mechanical shop. A store is a permitted use under the current Ordinances; however, a mechanical shop is not. The point is when you look at the property does commercial use make since.

Darrell Nelson made a motion to close the Public Hearing on the Zone change for Mike Toe. 2nd by Elliott Sheltman. All voted "Aye". Motion Passed.

Commission members discussed the proposed zone change.

Elliott Sheltman asked Joe Allen when the current owner purchased the property. Joe indicated he thinks it has been in the family for generations. The reason he asked was because the property has sat there for so long as open space, he thinks what type of business is going on that parcel is relevant. In 2008 there was a similar request for a zone change that was denied so what happens when this one gets approved. As far as economic growth, the General Plan only has 2 pages on it and the roads are a concern. The South western road is a main access road to I-15 and is too narrow. He does not support a zone change in that location. Once you put a business in this Town it gets forgotten about and needs to be watched.

Joe Allen much of what you mentioned is because of the use that was thrown out there. Again he asks, does it make since to have this property zoned commercial?

Darrell Nelson indicated it was completely inappropriate for the citizen to offer the town \$10,000 dollars. A gas station was denied in a similar location because it was a flood plain. He does not think you should build on a flood plain. In the past, UDOT talked about putting in a diamond intersection. If that happens they would abandon exit 22 where this property is

located.

Bob Nicholson indicated the whole commercial zoning makes sense in that area; however, you don't get to the use until a building application is submitted.

Planning Commission Members discussed the zone change further.

- b. Conditional Use Permit for Brian Hansen on Bed and Breakfast at 480 North Main Street.

Darrell Nelson made a motion to open the Public Hearing on the Conditional Use Permit for Brian Hansen. 2nd by Norm Peters. All voted "Aye". Motion Passed.

Brian Hansen discussed his Conditional Use Permit for a Bed & Breakfast. He currently rents the property and would like to turn it into a Bed & Breakfast. He further discussed the Bed & Breakfast with Commission Members and Bob Nicholson. Bob indicated that Commission Members would need to set some conditions before it gets sent to Town Council.

Allen Roberts indicated the Town does have code enforcement, it is the Mayor. He is supportive of a Bed & Breakfast; however, the owner would need to live there and conditions need to be set. He recommended that one of the conditions be if the home get sold it loses its use as a Bed & Breakfast.

Angela Rohr discussed the property does have two pieces of property. If one of the homes gets sold who ever purchases it will still have to live on the site. She had concerns because it is a flag lot and the road is very narrow for emergency access. She further discussed with Commission members the conditions that need to be set.

Bob Nicholson indicated the neighbors will need to be notified and Brian will need to talk to the Fire Chief about access to the property. It will be further reviewed on January 2, 2014 at a Planning Commission meeting.

Darrell Nelson made a motion to close the Public Hearing on Conditional Use Permit for Brian Hansen. 2nd by Norm Peters. All Voted "Aye". Motion Passed.

Bob Nicholson we will need to continue the Public Hearing at next month's meeting once the neighbors are notified. The Town can adopt a policy for a Bed & Breakfast when Conditions are set and codify them into the Land Use Book at a later time.

9. Action Items:

- a. Zone Change for Parcel L-94-A-2 Mike Toe from Open Space to Commercial.

Norm Peters made a motion to table the Zone Change for Mike Toe. 2nd by Elliott Sheltman. All voted "Aye". Motion Passed.

Zone Change for Mike Toe from Open Space to Commercial	Passed	Rejected	Tabled	x
tabled for more research by Commission Members.	_____	_____	_____	_____

- b. Discussion and possible action Conditional Use Permit for Brian Hansen on Bed and Breakfast at 480 North Main Street.

Conditional Use Permit for Brian Hansen Bed & Breakfast	Passed	Rejected	Tabled	x
tabled until conditions are set.	_____	_____	_____	_____

10. Discussion Items:

- a. Mark Davis on Freeway Signage.

Mike Davis came to represent Phillip Cunard who owns a couple of parcels north of Main Street along I-15. He is proposing to put up two billboards 10X36 foot and 20 foot above ground. The property is in Washington County; however, they told Mike he would need to come and get Leeds approval.

Bob Nicholson indicated that the County could not act on this item if it is within Leeds annexable ground.

Darrell Nelson indicated people buy lots here because of the views and should not be subject to signs obstructing their views. He discussed the Lighting Ordinance as well as the Sign Ordinance. He indicated citizens buy view lots and should not have to see the lighted billboard.

After further discussion with Bob Nicholson and the Commission members, Bob told Mike he would look into whether the ground was annexable by the Town. If it is, he would not get approval from the Town because current Ordinances do not allow Billboards.

11. Citizen Comments:

12. Staff Reports: None

13. Adjournment:

Elliott Sheltman adjourned the meeting. 2nd by Darrell Nelson. All voted "Aye". Motion passed.
Time: 9:30pm.

APPROVED ON THIS 2 DAY OF January 2013



Darrell Nelson, Chairman Pro-Tem

ATTEST:



Kristi Barker, Deputy Clerk/Recorder
